

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

vs.

Civil Action No. 5:21-cv-00181
Honorable Frank W. Volk

LOUISE E. GOLDSTON, individually,
COUNTY COMMISSION OF RALEIGH
COUNTY, a political subdivision,
JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,

Defendant.

**PLAINTIFF’S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON’S MOTION IN
LIMINE TO PRECLUDE THE TESTIMONY OF TERESA TARR AND BRIAN LANHAM**

COMES NOW Plaintiff, Matthew Gibson, by and through counsel, John H. Bryan, and for his response to DEFENDANT LOUISE E. GOLDSTON’S MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF TERESA TARR AND BRIAN LANHAM, states the following:

1. That, Plaintiff, at this time does not intend to call either Teresa Tarr, or Brian Lanham as witnesses in the trial of this matter. These witnesses are listed on Plaintiff’s “may call” list. It may however, become necessary to call one, or both of them as rebuttal witnesses depending upon how trial testimony develops, and Plaintiff reserves the right to do so, if Defendant gives cause for such. Therefore, Defendant Goldston’s motion to preclude their testimony would be more timely addressed at that point.

MATTHEW GIBSON,
By Counsel

/s/ John H. Bryan
John H. Bryan, State Bar ID # 10259
JOHN H. BRYAN, ATTORNEY AT LAW
411 Main Street
P.O. Box 366
Union, WV 24983
jhb@johnbryanlaw.com
(304) 772-4999
Fax: (304) 772-4998
For Plaintiff

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JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,
KYLE LUSK, individually,

Defendant.

CERTIFICATE OF SERVICE

I, John H. Bryan, do hereby certify that I have delivered a true copy of the foregoing PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF TERESA TARR AND BRIAN LANHAM, has been served upon counsel of record by using the CM/ECF System, this the 13th day of June, 2022, and addressed as follows:

Jennifer E. Tully, Esq.
Adam K. Strider, Esq.
Bailey & Wyant, PLLC
500 Virginia Street, East, Suite 600
PO Box 3710
Charleston, WV 25337-3710
Counsel for Louise E. Goldston

J. Victor Flanagan, Esq.
Kevin J. Robinson, Esq.
Pullin Fowler Flanagan, Brown & Poe, PLLC
252 George Street
Beckley, WV 25801
Counsel for Raleigh County Defendants

/s/ John H. Bryan

John H. Bryan (WV Bar No. 10259)
JOHN H. BRYAN, ATTORNEY AT LAW

411 Main Street

P.O. Box 366

Union, WV 24983

(304) 772-4999

Fax: (304) 772-4998

jhb@johnbryanlaw.com